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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,626	03/30/2001	David K. Braverman	COS99036	6953

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MCI, INC
TECHNOLOGY LAW DEPARTMENT
1133 19TH STREET NW, 10TH FLOOR
WASHINGTON, DC 20036

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 10/13/2004

124

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,626

Applicant(s)

BRAVERMAN, DAVID K.

Examiner

Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Prosecution Reopened

In view of the Appeal Brief filed on 7/28/2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claims Status

Claims 1-34 are pending. Claims 1-34 are rejected.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 4, 9, 14, 19, 24 and 30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not

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described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 4, recites “selectively disabling the automatic receipt of the e-mail notification.” The specification does not enable the skilled artisan to make and use the invention because the manner and process of selectively disabling the e-mail notification is not clearly and concisely described. Furthermore, claim 4 depends from claim 3 and in claim 3, the agent automatically receives an e-mail notification. It is unclear how the e-mail notification can be disabled after the agent has received the e-mail notification.

Claims 9, 14, 19, 24 and 30 are rejected for reasons similar to claim 4.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 6, 7, 10-12, 15-17, 20-22, 25-27, 31 and 32 are rejected under 35

U.S.C. 102(b) as being anticipated by US Pat No 5,787,416 issued to Tabb et al (hereafter Tabb).

Claims 1, 6, 11, 16, 21, 26 and 32:

Tabb discloses:

- storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with

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a particular agent among a plurality of agents [a given sales representative reads on a particular agent, col 17, lines 48-60];

- generating a list of customer accounts corresponding to the particular agent from the account information [each representative is associated with a list of customers and each customer is associated with a list of orders, col 17, lines 48-60]
- displaying the list via a web browser to the agent [inherently disclosed because a hypertext report is available for a browse sequence, col 3, line 64 – col 4, line 5, and a report shows a list of customer orders for a particular sales representative, col 17, lines 48-60].

Claims 2, 7, 12, 17, 22 and 27:

Tabb discloses drilling down to view a particular customer invoice associated with a particular customer account selected from the list [Fig 3f]

Claims 5, 10, 15, 20, 25 and 31:

Tabb discloses wherein the customer account in the storing step is associated with a user identification of the particular agent [employee ID serves as primary key for the representative, col 18, lines 50-60].

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 8, 13, 18, 23, 28 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabb in view of Pub No US 2002/0026410 issued to Woloshin et al (hereafter Woloshin).

Claims 3, 8, 13, 18, 23, 28 and 33 :

Tabb discloses the elements of claims 1, 6, 11, 16, 21, 26 and 32 as noted above.

Tabb fails to disclose providing automatic receipt of an e-mail notification message to notify one of the plurality of agents of an event associated with the customer, wherein the event includes at least one of a new enrollment and an account cancellation [par 20]. Woloshin discloses providing automatic receipt of an e-mail notification message to notify one of the plurality of agents of an event associated with the customer, wherein the event includes new enrollment [par 20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tabb to include providing automatic receipt of an e-mail notification message to notify one of the plurality of agents of an event associated with the customer, wherein the event includes new enrollment as taught by Woloshin for the purpose of informing a sales representative that a new application has been processed [par 20]. The ordinarily skilled artisan would have been motivated to improve the invention of Tabb per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [par 17].

4. Claims 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Tabb and Woloshin and further in view of Pub No US 2001/0047347 issued to Perell et al (hereafter Perell).

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Claims 29 and 34:

Tabb discloses the elements of claims 26, 28, 32 and 33 as noted above.

Tabb fails to disclose e-mail notification mechanism enabling a sales representative to specify automatic receipt of e-mail notification message when a customer cancels an e-billing customer account. Woloshin discloses an e-mail notification mechanism to notify a sales representative [par 20]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tabb to include an e-mail notification mechanism as taught by Woloshin for the purpose of informing a sales representative of a new customer [par 20]. The ordinarily skilled artisan would have been motivated to improve the invention of Tabb per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [par 17].

The combination of Tabb and Woloshin disclose the elements of claim 29 except for the automatic receipt of an e-mail notification when a customer cancels an e-billing account. Perell discloses automatic receipt of e-mail notification when a customer cancels an e-billing account [par 311]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Tabb and Woloshin to include automatic receipt of e-mail notification when a customer cancels an e-billing account for the purpose of informing a company representative that an existing account has been cancelled. The ordinarily skilled artisan would have been motivated to modify the combination of Tabb and Woloshin per the above for the purpose of sending an e-mail to the representative in order to create an on-line application processing system [par 17].

Response to Arguments

Applicant's arguments filed in Appeal Brief of 7/28/2004 were carefully considered and found persuasive but are moot based on supra new grounds of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

10/1/2004



SAFET METJAHIC
SUPERVISOR OF EXAMINERS
TECHNICAL DIVISION